

cite to any priority command and modality alert command taught in the cited reference. As such, Applicants respectfully submit that the claims are in condition for allowance.

Moreover, claim 1 requires, for example, sender controllable modality but the cited portion of the Deeds reference refers to a receiving mobile station so that a user can program the mobile station to allow a ring tone to spell out a received text message. The office action alleges that the audible ring tones “notify and alert users about particular events hence fulfilling both limitations and thus acting as modality alert command/notification command”. However, the office action again does not cite to a location in Deeds that teaches the priority command that includes a modality alert command as claimed. It is the receiver or a user in Deeds which selects ring tones to audibly spell out a text output in the form of Morse code not a sending unit. In contrast, claim 1 deals with a mechanism using the claimed commands, among other things, to allow a sender to control by what means a recipient will be notified. Deeds teaches a different apparatus and method.

If the rejections are maintained, Applicants respectfully request a showing as to which data in the Deeds reference correspond to the claimed priority command that includes the modality alert command as well as the communication command wherein the commands are transmitted to a recipient device that receives the modality alert command within the priority command as claimed. The mobile station in page 4, paragraph 33 or page 3, paragraph 30, fails to discuss any transmission of any communication command and priority command with a modality alert command as claimed.

The dependent claims add additional novel and non-obvious subject matter.

For example, as to claim 5, this claim requires, among other things, a receiver that receives a communication command and a priority command from a sender device. The office action cites page 3, paragraph 30 of the Deeds reference. However, this portion again is referring to the mobile station which the office action as to claim 1 indicating was the sender device and as such, cannot

receive a communication command and priority command as claimed. In addition, Applicants respectfully reassert the relevant remarks made above. In addition, this portion is silent as to any communication command and priority command as claimed. Accordingly, the claim is in condition for allowance.

In addition, the claim requires, among other things, a verification module, coupled to the receiver, that verifies the sender device and the priority command such that a modality alert command is provided to a notification system to override the internal modality setting. The claim also requires that the modality alert command is disposed within the notification command. The office action cites paragraphs 40 and 42 as teaching this claimed verification module. However, Applicants respectfully submit that the cited paragraph merely describes that an incoming call activates a call alert that includes, for example, a caller ID information and/or the caller operating the calling device. An event indicator is also activated. However, there is no modality alert command nor a priority command as claimed nor any overriding of an internal modality setting as claimed. Accordingly, this claim is also in condition for allowance. If the rejection is maintained, Applicants respectfully request a showing by page and line number of this claimed subject matter as it does not appear to be in the cited reference.

The dependent claims add additional novel and non-obvious subject matter.

As to claim 9, Applicants respectfully reassert the relevant remarks made above with respect to claim 1 and as such, this claim is also in condition for allowance.

The dependent claims also add additional novel and non-obvious subject matter.

As to claim 14, Applicants respectfully reassert the relevant remarks made above with respect to claim 5. Accordingly, this claim is also believed to be in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

As to claim 20, Applicants respectfully reassert the relevant remarks made above with respect to the independent claims and as such, this claim is also in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

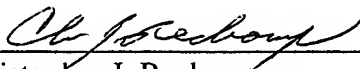
Claims 6, 10, 15 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Deeds in view of U.S. Patent No. 6,867,733 (Sandhu et al.). Applicants respectfully reassert the relevant remarks made above with respect to the Deeds application and as such, these claims are also in condition for allowance. For example, as noted above, there is no received priority command from the sender device described in paragraph 42 of the Deeds reference as this paragraph describes that a user is able to determine by using the user's ears, for example, whether an incoming call is coming from a particular person or if a text message is being communicated via an audible ring tone. There is no priority command being sent by a sending device. As such, the claim is in condition for allowance. In addition, the Sandhu reference also fails to teach the use of the combination of the commands and as such, the combination of the references do not, alone or in combination, teach the claimed subject matter. As such, these claims are also in condition for allowance.

As to claims 10 and 15, Applicants respectfully reassert the remarks made above with respect to the Deeds reference and as such, these claims are also in condition for allowance.

Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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